

AGENDA BILL APPROVAL FORM

Agenda Subject: Resolution No. 4474 – Amendment to Agreement AG-C-321 with Landau Associates for professional environmental permitting services.		Date: April 14, 2009
Department: Planning, Building and Community Development	Attachments: Resolution No. 4474, Amendment No. 1 to Agreement No. AG-C-321	Budget Impact: \$6,276
Administrative Recommendation: City Council adopt Resolution No. 4474.		
Background Summary: <p>In 2007, the City entered into an agreement with Gates, Gates, and Gates, owners of the Mohawk Plastics Co. This agreement required the Gates family construct a portion of the City's A Street NW Extension in exchange for the City completing the wetland permitting and mitigation for the wetland fill. The City hired the consulting firm Landau Associates to complete the conceptual mitigation design and support environmental permitting of the project.</p> <p>Due to significant questions and comments by Washington State Department of Ecology and the Army Corps of Engineers (the two wetland impact permitting agencies), the work done by Landau is close to exceeding the current financial limits of Agreement AG-C-321. This amendment also extends the time period of the contract through August 15, 2009 to support design of the project construction drawings, and increases the contract amount from \$21,724 to \$28,000.</p> <p>Funding is dispersed from Capital Improvements Fund No. 328.</p> <p style="margin-top: 20px;">L0420-7 A3.16.9, A3.16.7</p>		
Reviewed by Council & Committees: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input checked="" type="checkbox"/> Planning Comm. </div> <div style="width: 45%;"> COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input type="checkbox"/> Planning & CD <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other _____ </div> </div>		Reviewed by Departments & Divisions: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input type="checkbox"/> Legal <input type="checkbox"/> Public Works <input type="checkbox"/> Information Services </div> <div style="width: 45%;"> <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources </div> </div>
Action: Committee Approval: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Council Approval: <input type="checkbox"/> Yes <input type="checkbox"/> No Call for Public Hearing __/__/__ Referred to _____ Until __/__/__ Tabled _____ Until __/__/__		
Councilmember: Norman		Staff: Baker
Meeting Date: April 20, 2009		Item Number: VIII.B.6

RESOLUTION NO. 4474

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF AUBURN AND LANDAU ASSOCIATES, FOR WETLAND MITIGATION PERMITTING

WHEREAS, the City of Auburn has previously authorized Agreement AG-C-321 to assist in wetland mitigation permitting and development for the Mohawk Northern Plastics mitigation at Goedeke South; and

WHEREAS, the permitting process is not yet complete for this project, but all the funds allocated under Agreement AG-C-321 have been expended; and

WHEREAS, the City of Auburn Planning Department would like to retain the services of the project biologist originally assigned to this project under Agreement AG-C-321; and

WHEREAS, it is in the public interest for the parties to enter into an agreement for completion of the wetland mitigation permitting with due expediency, in order to complete the City's obligations for permitting and move on to wetland construction.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, KING COUNTY, WASHINGTON, HEREBY RESOLVES as follows:

Section 1. The Mayor of the City of Auburn and the Auburn City Clerk are hereby authorized to execute an Agreement between the City of Auburn and Landau Associates for professional environmental permitting services.

Section 2. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directives of this legislation.

Section 3. This Resolution shall be in full force and effect upon passage and signatures hereon.

Dated and Signed this _____ day of _____, 2009.

CITY OF AUBURN

PETER B. LEWIS
MAYOR

ATTEST:

Danielle E. Daskam, City Clerk

APPROVED AS TO FORM:



Daniel B. Heid, City Attorney

**AMENDMENT #1 TO AGREEMENT NO. AG-C-321 BETWEEN
THE CITY OF AUBURN AND LANDAU ASSOCIATES, INC
RELATING TO PROJECT NO. CP0767, MOHAWK PLASTICS WETLAND
MITIGATION PROJECT**

THIS AMENDMENT is made and entered into this 20th day of April, 2009, by and between the CITY OF AUBURN, a municipal corporation of the State of Washington (hereinafter referred to as the "CITY"), and Landau Associates (hereinafter referred to as the "CONSULTANT"), as an Amendment to the Agreement between the parties for AG-C-321 executed on the 8th day of February, 2008.

The changes to the agreement are described as follows:

1. **CONTRACT TERM:** The term of the Agreement for Professional Services is extended to August 15, 2009.
2. **SCOPE OF WORK:** The scope of work is amended to include the following tasks: design support and technical assistance during the preparation of final construction plans.
3. **COMPENSATION:** The amount of this amendment increase is \$6,276. The total contract amount is increased to a total of \$28,000. This additional amount covers the cost of design revisions to comply with Ecology and Army Corps of Engineers requests during the permitting process, and also design plan changes for the completion of construction plans.

REMAINING TERMS UNCHANGED: That all other provisions of the Agreement between the parties for AG-C-321 executed on the 8th day of February 2008, shall remain unchanged, and in full force and effect.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

LANDAU ASSOCIATES

CITY OF AUBURN

By: _____
Authorized signature

Peter B. Lewis, Mayor

ATTEST (Optional):

By: _____
Its: _____

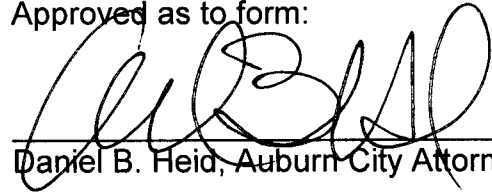
Approved as to form (Optional):

Attorney for (Other Party)

ATTEST:

Danielle E. Daskam, Auburn City Clerk

Approved as to form:



Daniel B. Heid, Auburn City Attorney